

REMARKS

Claims 1, 5, 6 and 10-14 have been amended to recite that the rubber composition is used in a tire. Entry of this Amendment is respectfully requested. Claims 1, 5, 6 and 10-14 are pending.

Statement of Substance of Interview

Applicants thank the Examiner for granting the telephone Interview of December 16, 2010, wherein Applicants' representative reviewed Applicants' proposed claim amendments and Mr. Suzuki's Rule 132 Declaration dated April 13, 2010 with the Examiner. The Examiner indicated that it is unclear from the declaration evidence presented thus far that the wear resistance is unexpected, especially in view of Scriver's disclosure that cis 1,4-polybutadiene rubber typically has a cis 1,4-content of "about 96 to about 99 weight percent." More particularly, the Examiner questioned whether the presently claimed lower limit of 99.0% is in fact a critical point. Thus, the Examiner indicated that additional experimental data is necessary.

Response to Claim Rejections Under § 103

Claims 1, 5, 6 and 10-14 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No 5,396,940 to Segatta and further in view of U.S. Patent No. 3,913,652 to Imamura and U.S. Patent No. 4,192,366 to Scriver. Applicants respectfully traverse.

The present claims are directed to a tire characterized by using a rubber composition comprising a rubber component consisting of (A) a synthetic polyisoprene rubber having a cis-1,4-bond content of not less than 99.0%, a 3,4-bond content of not more than 0.5% and a Mooney viscosity $ML_{1+4}(100^{\circ}C)$ of 20-110.

According to the present invention, when the cis-1,4-bond content of the polyisoprene rubber contained in the rubber composition used in the tire is less than 99.0%, the extension crystallinity is low and the dynamic properties are deteriorated. See paragraph [0015] of the present specification. This unexpected result is neither taught nor suggested in the cited references.

In this regard, Applicants submit herewith a Declaration under 37 C.F.R. §1.132, by Mr. Suzuki. The experimental data were obtained by testing rubber test pieces, which results reflect the properties of a tire.

As demonstrated by the additional declaration evidence of Mr. Suzuki, when the cis-1,4-bond content of the polyisoprene rubber is lower than 99.0%, the durability of the rubber composition is deteriorated. That is, the durability of the tire will be deteriorated if a rubber composition comprising a synthetic polyisoprene rubber having a cis-1,4-bond content of less than 99.0% is used in the tire. Further, when the 3,4-bond content is not more than 0.5%, the durability of the rubber composition and thus the tire is highly improved.

Thus, Segatta, Imamura and Sriver fail to render obvious the present claims. Accordingly, withdrawal of the rejection is respectfully requested.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
Appln. No.: 10/562,947

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

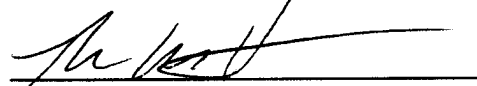
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CUSTOMER NUMBER

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